

REMARKS

Claims 1-12 are currently pending with claims 13-27 having been withdrawn without disclaimer of and prejudice to the subject matter therein.

Claims 1-12 stand rejected as being allegedly anticipated by U.S. Patent 5,817,072, which is entitled "Central Venous System Catheter Apparatus With Means for Subcutaneous Delivery of Anesthetic Agent of Other Fluid Medicament." The undersigned submits that claims 1-12 are patentable over the '072 patent, at least because the '072 patent fails to suggest or disclose "the hardness of the wall surrounding the channel decreasing in hardness then increasing in hardness and then decreasing in hardness again when considered from an initial reference point at the entrance orifice and traveling towards the exit orifice," as in claim 1 and "a bendable curve memory portion," as in claim 9.

While the '072 patent references the hardness of cylindrical sleeve 28 in col. 8 at lines 36-43, it does not disclose or suggest the varying hardness as recited in claim 1. Likewise, while the '072 patent uses the word "memory" while discussing the slits 48 in the cylindrical sleeve 28, it does not disclose or suggest a catheter with a wall having a bendable curve memory portion as recited in claim 9 and as described throughout the specification in locations such as paragraphs 25-28. Consequently, for each of the above reasons, the undersigned submits that claims 1-12 are patentable over the '072 patent.




CONCLUSION

The Examiner is invited to call the undersigned if questions should arise.

Prompt review and allowance of the pending claims is respectfully requested.

Respectfully submitted,

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